

## REMARKS

This application has been carefully reviewed in light of the Office Action dated July 28, 2006. Claims 1 to 5 and 7 to 9 are in the application, with Claim 6 having been cancelled herein and Claim 9 having been newly-added herein. Claims 1, 7 and 8 are the independent claim herein. Reconsideration and further examination are respectfully requested.

The drawings were objected to for including reference numeral 603, which was alleged as not being included in the specification. The objection is traversed since the element corresponding to reference numeral 603 is described in the specification at page 15, line 24. Thus, the specification has been amended to explicitly include reference numeral 603 without adding any new matter. Reconsideration and withdrawal of the objection are respectfully requested.

Claims 1 to 8 were rejected under 35 U.S.C. § 102(e) over EP 1286292 (Murakami). Applicants note that a rejection under § 102(e) based on a foreign publication is not proper since § 102(e) only applies to U.S. patents, U.S. patent publications, or PCT publications in which the U.S. was a designated country. Therefore, inasmuch as the rejection is premised on § 102(e), it is traversed.

Nonetheless, Applicants also note Murakami's publication date of February 26, 2003, would qualify the reference as prior art under § 102(a). Therefore, Applicants will proceed with the following arguments as if the Examiner meant to reject the claims under § 102(a). However, clarification of the grounds of rejection are respectfully requested.

The present invention concerns sharing images with a third party.

According to the invention, a user sets a disclosure date in server of when the image data, which has been uploaded to the server, is to be disclosed. The uploaded image data is processed to create processed image data (e.g., mosaic, embossed, or wipe processing). Then, a time ticked in the server is compared with the set disclosure date. If the time ticked is determined to be earlier than the set disclosure date (e.g., an updating interval set to update the processing prior to the set date), page information for displaying the processed image data is created and transmitted to a recipient before the set disclosure date (see, e.g., Fig. 7, steps S701 and S703 to S711). In contrast, when the time ticked in the server apparatus is determined to be the set disclosure date, page information is created for displaying the uploaded image data and is transmitted to the recipient on the set disclosure date. (see, e.g., Fig. 7, steps S701, S702 and S711)

Referring specifically to the claims, Claim 1 is directed to a method of controlling a server apparatus which stores in a memory image data received via a network, comprising the steps of setting a disclosure date of the received image data, processing the received image data to create processed image data, comparing a time ticked in the server apparatus and the set disclosure date, creating page information for displaying the processed image data when the time ticked in the server apparatus is determined to be earlier than the set disclosure date, and creating page information for displaying the received image data when the time ticked in the server apparatus is determined to be the set disclosure date, and transmitting, via the network, the created page information for displaying the processed image data before the set disclosure date, and transmitting the

created page information for displaying the received image data on the set disclosure date, to a specified recipient.

Claims 7 and 8 are computer medium and apparatus claims, respectively, that substantially correspond to Claim 1.

The applied art of Murakami is not seen to disclose or to suggest the features of the present invention, and in particular, is not seen to disclose or to suggest at least the features of creating page information for displaying processed image data when a time ticked in a server apparatus is determined to be earlier than a set disclosure date, and transmitting the created page information for displaying the processed image data before the set disclosure date to a recipient.

Murakami is merely seen to disclose that a server system 8 receives e-mail with an attached file from a client apparatus 101 and discloses the attached file to another client apparatus 107 in response to access via a Web server 105 by using a URL. Murakami also discloses performing image processing to the attached file (embodiment 4, para. 0099) and transmitting an e-mail with an attached image on a designated data and time (embodiment 3, para. 0087). Thus, Murakami merely teaches transmitting image data, whether it be processed image data or original image data, on a designated date and time. Murakami is not, however, seen to teach creating page information for displaying processed image data when a time ticked in a server apparatus is determined to be earlier than a set disclosure date, and transmitting the created page information for displaying the processed image data before the set disclosure date, to a recipient.

In view of the foregoing deficiencies of the applied art, Claims 1 to 5 and 7 to 9 are not believed to be anticipated by Murakami.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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